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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

8 BICHNHU THI DO,

9 Plaintiff,

10 v.

11 MICHAEL J. ASTRUE, Commissioner of the
12 Social Security Administration,

13 Defendant.

Case No. C11-731-JLR-BAT

**REPORT AND
RECOMMENDATION**

14 Bichnhu Thi Do brought an action seeking review of the denial of her supplemental
15 security income application by the Commissioner of the Social Security Administration. Dkt. 1.
16 The parties stipulate the case should be remanded, pursuant to sentence four of 42 U.S.C. §
17 405(g), for further administrative proceedings. Dkt. 16.

18 Specifically, the parties stipulate that on remand, the Administrative Law Judge shall
19 request updated reports from plaintiff's treating sources, which should include clinical findings,
20 test results, and a statement regarding what plaintiff can still do despite her alleged impairments.
21 As appropriate, the ALJ may enlist the assistance of counsel in obtaining this information. If
22 further clarification of the record is necessary, the ALJ shall obtain a consultative mental status
23 examination, with psychological testing, and a medical assessment of plaintiff's ability to

1 perform work-related functions. The ALJ may also, if warranted by the expanded record,
2 receive testimony from a Medical Expert regarding the nature and severity of plaintiff's
3 impairments, and the functional limitations arising from them.

4 The ALJ shall give plaintiff an opportunity for a new hearing and shall issue a new
5 decision. The ALJ shall also address all medical opinions of record, including but not limited to
6 the opinions of Victoria McDuffe, Ph.D.; Wayne C. Dees, Psy.D.; Christopher X. Yee, M.D.;
7 and Dale Thuline, M.D., and evaluate the medical opinions in accordance with 20 C.F.R. §
8 416.927 and SSRs 96-2p, 96-5p, and 96-6p. The ALJ shall re-assess plaintiff's credibility in
9 accordance with 20 C.F.R. § 416.929 and SSR 96-7p, and shall re-assess plaintiff's residual
10 functional capacity in specific terms. The ALJ shall also assess the lay statements of record.
11 Finally, if appropriate, the ALJ shall obtain additional vocational expert testimony.

12 Plaintiff is entitled to reasonable attorney fees and costs pursuant to 28 U.S.C. § 2412(d),
13 upon proper request to this Court.

14 For the foregoing reasons, the Court recommends the case be **REVERSED** and
15 **REMANDED** for further administrative proceedings as set forth above. As the parties stipulate to
16 remand, the Court recommends if this recommendation is adopted, that it be approved
17 immediately. A proposed order accompanies this Report and Recommendation.

18 DATED this 6th day of October, 2011.

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22 BRIAN A. TSUCHIDA
23 United States Magistrate Judge